



RESOLUTION

**AUTHORIZING ACCEPTANCE OF AN EASEMENT AND GRANT OF A RELEASE
TO RELOCATE SEWER AND DRAIN EASEMENTS ON LAND AT 61 PENNICHUCK
STREET IDENTIFIED AS SHEET 49, LOT 49**

CITY OF NASHUA

In the Year Two Thousand and Seven

RESOLVED by the Board of Aldermen of the City of Nashua that the Mayor is authorized to accept an easement from John Lehoullier in substantially the form attached hereto to relocate existing sewer and underground drainage easements and to grant a release of easement for current locations of sewer and underground drain for property at 61 Pennichuck Street, identified as Sheet 49, Lot 49.

EASEMENT DEED

John Lehoullier, single, of 61 Pennichuck Street, Nashua, County of Hillsborough and State of New Hampshire, (the "Grantor"), for consideration paid, grants to the City of Nashua, a municipal corporation with a mailing address of 229 Main Street, Nashua, New Hampshire 03061, (the Grantee), with WARRANTY covenants,

An easement over a parcel of land located on the southerly side of Pennichuck Street in Nashua, County of Hillsborough, State of New Hampshire, being more particularly described in Exhibit A attached hereto and incorporated herein by reference.

The easement herein granted shall include the perpetual right to enter upon the real estate described at such reasonable times as the Grantee may see fit, and to construct, maintain, and repair underground drainage systems and sewer systems which shall include, but which shall not be limited to: pipes, culverts, and/or mains for purposes of conveying drainage and sewerage across, through and under the real estate described herein, together with the right to excavate and refill ditches and/or trenches for the location of said pipes and/or mains all for the purposes of directing underground drainage and sewerage.

This easement is granted for the purposes of constructing, maintaining, and repairing a public drainage and sewer system under and across the above-described real estate.

The Grantee agrees by its acceptance of this conveyance, that maintenance and repair of its drainage and sewerage improvements shall be conducted in a manner so as not to unreasonably interfere with the Grantor's and Grantor's successors and assigns use of the premises.

The Grantee further agrees that it shall repair and replant or reseed any disruption caused by it while exercising its rights described in this drainage and sewer easement.

The Grantor reserves for itself and for the benefit of its successors and/or their successors and/or assigns, the right to fully use and enjoy the easement area, including but not limited to the right to pass and repass over the easement area and to conduct such other operations on its land so long as said use or operations shall not adversely affect the rights of the Grantee as herein stated.

Meaning and intending to describe and convey a portion of the premises conveyed to John Lehoullier by Wayne Greenwood and Joanne Greenwood by deed dated November 2, 2000, and recorded in the Hillsborough County Registry of Deeds in Book 6313, Page 800.

The purpose of this easement deed is to relocate the existing sewer and drainage easements of the City of Nashua located on said land of the Grantor as shown on the plan referred to in Exhibit A and create new boundary lines for said easements, and the City of Nashua, by its execution and recording of this easement deed hereby quitclaims and releases its rights in said prior easements to said John Lehoullier.

Executed on the dates set opposite said signatures.

_____, 2007

John Lehoullier

CITY OF NASHUA

_____, 2007

By:_____

Name:

Title:

STATE OF NEW HAMPSHIRE
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this _____ day of _____, 2007, by John Lehoullier.

Notary Public

My Commission Expires:_____

EXHIBIT A

A certain tract or parcel of land on the southerly side of Pennichuck Street in Nashua, County of Hillsborough and State of New Hampshire, being shown as "Proposed Utility Easement, 2,515 S.F." on a plan entitled, "Sheet 49/Lot 49, Utility Easement Plan, 61 Pennichuck Street, Nashua, NH 03064, prepared for John Lehoullier" dated March 9, 2007, by Cuoco & Cormier Engineering Associates, Inc., recorded in the Hillsborough County Registry of Deeds as Plan No. _____ and being more particularly bounded and described as follows:

Beginning at a point at the northeasterly corner of the premises on the southerly side of Pennichuck Street, said point being South $77^{\circ} 13' 11''$ West twenty-one and $41/100$ (21.41) feet from a point on the westerly side of land of Boston & Maine Corporation and Guilford Transportation, Ind. Iron Horse Park, North Billerica, MA 01862; thence

- (1) South $34^{\circ} 59' 34''$ West twenty-one and $58/100$ (21.58) feet to a point; thence
- (2) South $11^{\circ} 39' 25''$ East sixty-two and $03/100$ (62.03) feet to a point; thence
- (3) South $62^{\circ} 05' 44''$ East thirteen and $39/100$ (13.39) feet to a point; thence
- (4) South $12^{\circ} 48' 16''$ East fourteen and $56/100$ (14.56) feet to a point at land of the City of Nashua; thence
- (5) South $77^{\circ} 11' 44''$ West by said City of Nashua land thirty-two and $75/100$ (32.75) feet to a point; thence
- (6) North $11^{\circ} 35' 43''$ West ninety-nine and $85/100$ (99.85) feet to a point on the southerly side of Pennichuck Street; thence
- (7) North $77^{\circ} 13' 11''$ East by said southerly side of Pennichuck Street thirty-seven and $71/100$ (37.71) feet to the place of beginning.